

Remarks

Claims 1, 19 and 20 have been amended to recite that the woven or knitted fabric comprises a conjugate fiber in which a high-shrinkage component and a low-shrinkage component with a conjugate ratio of both components being within 75:25 to 35:65 wt. % comprised of polyester-based polymers, at least one of which consists essentially of polytrimethylene terephthalate, are stuck to form along the fiber length direction a side-by-side or an eccentric sheath-core type structure. Support may be found in the Applicants' specification in paragraphs [0041] to [0043] and [0051], for example. Entry into the official file and consideration on the merits is respectfully requested.

The Applicants acknowledge the objection to Claims 22 – 26 as being in improper multiple dependent form. The Applicants respectfully submit, however, that all of Claims 22 – 26, as amended in the Applicants' Preliminary Amendment are in proper form. In particular, Claim 22 depends from Claims 19 or 20. Both of Claims 19 and 20 are independent claims. Thus, Claim 22 is a multiple dependent claim depending from an independent claim. This is in proper form. The same is true for Claims 23 and 24. Claim 25 depends from Claim 22 and is thus a single dependent claim depending from a multiple dependent claim. This is also in proper form. Claim 26 is essentially the same as Claim 25 although it depends from Claim 24. The Applicants accordingly respectfully submit that Claims 22 – 26 as amended in the Applicants' Preliminary Amendment are in proper form. Examination on the merits is respectfully requested.

Claims 1 – 2, 4, 6 – 7, 10 – 13, 17 – 21 and 27 stand rejected under 35 USC §102 as anticipated by Tanaka. The Applicants respectfully submit, however, that Tanaka fails to explicitly or implicitly disclose all of the subject matter in those rejected claims. Detailed reasons are set forth below, mostly in the context of independent Claims 1, 19 and 20.

Tanaka, as described in paragraph [0064], discloses a knitted or woven fabric made of composite fibers having a sea-island structure or sheath-core structure. However, the sea-island component or sheath component is removed from the composite fibers in a step where the final artificial leather is processed. That is, the composite fibers used for a knitted or woven fabric of Tanaka ultimately becomes not a conjugate fiber, but a normal fiber made of a conventional sea-island component or sheath component.

In sharp contrast, the knitted or woven fabric in the Applicants' independent claims is preserved as conjugate fiber made of a high-shrinkage component and a low-shrinkage component. Importantly, that conjugate fiber exists in the leather-like sheet in its final structure. Accordingly, the conjugate fiber is contained in a knitted or woven fabric of the leather-like sheet and the conjugate fiber takes the form of a three-dimensional coil crimp so that the leather-like sheet generates excellent stretch properties. The artificial leather of Tanaka cannot generate such a stretch property as above.

The conjugate fiber in Claims 1, 19 and 20 is constituted of two or more kinds of polyester-based polymers, at least one of which consists essentially of polytrimethylene terephthalate. The conjugate fiber thereby has excellent abrasion resistance. Such an effect cannot be obtained from Tanaka due to this important difference. The Applicants therefore respectfully submit that Tanaka fails to explicitly or implicitly disclose the subject matter of Claims 1 – 2, 4, 6, 7, 10 – 13, 17 – 21 and 27. Withdrawal of the rejection is respectfully requested.

Claims 5, 8 and 14 – 16 stand rejected under 35 USC §102 as being anticipated by or under 35 USC §103 as being obvious over Tanaka. The Applicants respectfully submit that those claims are not anticipated and not obvious.

Claims 5, 8 and 14 – 16 are not anticipated for the same reasons as set forth above with respect to the non-anticipation of Claims 1, 2, 4, 6, 7, 10 – 13, 17 – 21 and 27. Moreover, the Applicants respectfully submit that there is no disclosure, are no teachings and there are no suggestions that would lead one skilled in the art toward the Applicants' subject matter as recited in Claims 5, 8 and 14 – 16. In fact, the Applicants respectfully submit that Tanaka is non-enabling with respect to the Applicants' claimed conjugate fiber that remains within the sheet structure after final processing. There is simply is no such disclosure or suggestion of that structure or the resulting enhanced properties. Withdrawal of the rejection of Claims 5, 8 and 14 – 16 is respectfully requested.

Claim 9 stands rejected under 35 USC §103 over the hypothetical combination of JP '658 with Tanaka. The Applicants respectfully submit that even if one skilled in the art were to make the hypothetical combination, the structure and method resulting from that combination would still not result in the subject matter of Claim 9.

JP '658 discloses a sheet which is integrated with a structure in a sheet state containing an extra fine fiber and a knitted or woven fabric. However, although JP '658 makes use of a conjugate fiber as an extra fine fiber contained in the above sheet structure, it does not use the above knitted or woven fabric. Moreover, according to JP '658, conjugate fiber is disintegrated into each component and, as a result, there is no conjugate fiber in a final leather-like sheet.

Thus, even if one skilled in the art were to hypothetically combine JP '658 with Tanaka, the result would be a structure that still does not have the conjugate fiber in the final leather-like sheet. Withdrawal of the rejection is respectfully requested.

Claim 3 stands rejected under 35 USC §103 as being obvious over the hypothetical combination of Kato with Tanaka. The Applicants respectfully submit that the disclosure of Kato fails to cure the deficiencies set forth above with respect to Tanaka.

Kato discloses a grained sheet in which a resin is applied to a non-woven fabric. However, Kato does not disclose, teach or suggest the extraordinary effect of the Applicants' sheets that enhance the stretch property by reducing the quantity of resin in the sheet.

The Kato disclosure above has little to do with Tanaka and little to do with the Applicants' subject matter as recited in Claim 3. Accordingly, there is no motivation to combine Kato with Tanaka. In any event, the hypothetical combination would still not result in the subject matter of the Applicants' Claim 3. Withdrawal of the rejection is respectfully requested.

The Applicants enclose a Supplemental Information Disclosure Statement and respectfully request that it be entered into the file and considered on the merits.

In light of the foregoing, the Applicants respectfully submit that the entire application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,



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